

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**DESMOND BONNER,**

**Plaintiff,**

**v.**

**Civil Action 2:25-cv-394  
Judge Michael H. Watson  
Magistrate Judge Kimberly A. Jolson**

**UNITED PARCEL SERVICE INC,**

**Defendant.**

**ORDER**

Plaintiff's Motion for Leave to File a Reply to Defendant's Answer is before the Court. (Doc. 11).

Plaintiff filed a *pro se* Complaint on April 14, 2025. (Doc. 1). Defendant United Parcel Service, Inc. ("UPS") filed its answer on May 12. (Doc. 7). A little over a month later, Plaintiff filed a motion seeking to file a reply to Defendant's answer. (Doc. 11). As support, Plaintiff states that a reply is necessary "to aid the Court in understanding the disputed legal and factual issues, particularly as they relate to UPS's reliance on after-acquired evidence." (*Id.* at 2). His proposed reply includes "specific responses to [Defendant's] affirmative defenses," and a "clarification on caselaw and Plaintiff's understanding." (*Id.* at 4–5 (cleaned up)).

A reply to a defendant's answer is not a proper pleading under Federal Rule of Civil Procedure 7 unless ordered by the Court. Fed. R. Civ. P. 7(a) (listing allowed pleadings)). In other words, "[b]y the plain language of the rule, a reply to an answer is not appropriate unless ordered by the court." *Fisher v. Cataldi*, No. 1:16-cv-605, 2016 WL 6208582, at \*2 (S.D. Ohio Oct. 21, 2016) (citing Fed. R. Civ. P. 7(a)(7)).

Here, the Court did not order Plaintiff to file a reply to Defendant's answer. Under the Federal Rules, a reply is not allowed. Plaintiff's desires to respond to Defendant's affirmative

defenses and provide caselaw to support his claims are more appropriately brought before the Court in summary judgment briefing. For these reasons, the Motion is **DENIED**.

IT IS SO ORDERED.

Date: July 22, 2025

/s/ Kimberly A. Jolson  
KIMBERLY A. JOLSON  
UNITED STATES MAGISTRATE JUDGE